

**THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

IN RE:) CHAPTER 13
) CASE NO: 18-52708
Michele Renee Metcalf)
) ALAN M. KOSCHIK
) BANKRUPTCY JUDGE
DEBTOR(S))
) TRUSTEE'S OBJECTION TO
) CONFIRMATION AND MOTION TO
) DISMISS AND 30 DAY OBJECTION
) PERIOD
)

Now comes Keith L. Rucinski, the Chapter 13 Trustee, and pursuant to 11 USC § 1307(c) hereby files this Objection to Confirmation and Motion to Dismiss.

1. The plan was filed on 11/10/2018.
2. The Chapter 13 plan payment is \$200.00 MONTHLY.
3. The reason(s) that the Trustee cannot recommend the plan for confirmation is:

_____ A. Pursuant to 11 USC § 1307(c)(6) and 11 USC § 1325(b)(4)(B), the plan as proposed will not complete within the maximum of 60 months from the date of the required first plan payment. Therefore, the plan is not feasible. (See box below)

_____ B. Pursuant to 11 USC § 1307(c)(4) and 11 USC § 1326, the Debtor(s) is delinquent in plan payments. (See box below)

_____ C. Pursuant to 11 USC § 1307(c)(1), the Debtor(s) has failed to resolve an objection to confirmation filed by a creditor. (See box below)

_____ D. Pursuant to 11 USC § 1307(c)(1), the Debtor(s) has not prepared an order to resolve the Debtor(s) objection to a claim. (See box below)

_____ E. A notice of filing deficiency has been issued by the Court and the Debtor(s) have not taken any steps to correct the deficiency. (See box below)

_____ F. Pursuant to Administrative Orders 17-2 and 18-5, interest rates in the plan must be 2% higher than the prime rate at time of confirmation. (See box below)

 X G. Other (See below)

The plan does not list treatment of a 2014 Kia Rio.

CHAPTER 13
Keith L. Rucinski
Trustee
Akron, OH 44308
(330)762-6335
Fax
(330)762-7072

If within 30 days from the date in the below certificate of service, the Debtor(s) do not resolve all item(s) noted in this pleading, the Trustee requests that the Court issue an order dismissing this case.

NOTICE

Pursuant to 11 USC § 102, unless a party in interest requests a hearing on this motion, the Court may grant this motion within 30 days from the date in the below certificate of service without further hearing or notice. Parties wishing to be heard on this motion must file a response and request a hearing with the US Bankruptcy Court at:

**US Bankruptcy Court
2 South Main Street
455 John F. Seiberling Federal Building
Akron, OH 44308**

Parties requesting a hearing must also serve:

**Keith L. Rucinski, Chapter 13 Trustee
One Cascade Plaza, Suite 2020
Akron, OH 44308**

In the absence of a request for hearing by any party in interest, the Court may grant the Trustee's motion without further notice or hearing.

Respectfully submitted,

/s/ Keith L. Rucinski

Keith L. Rucinski, Chapter 13 Trustee
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CERTIFICATE OF SERVICE

I hereby certify that on 02/12/2019, the following were served a copy of this pleading:

Via Regular Mail

Michele Renee Metcalf
354 Baxter St
Medina, OH 44256

Via ECF

JAMES F CICCOLINI (boston2021@msn.com)
Office of the US Trustee (ustpregion09.cl.ecf@usdoj.gov)
Keith L. Rucinski. Chapter 13 Trustee (krucinski@ch13akron.com)

Date of Service: 02/12/2019

By: M. Jones
Office of the Chapter 13 Trustee

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